IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INCOME TAX APPEAL NO.62 OF 2003

The Commissioner of Income Tax,
Mumbai City-II, Mumbai. ... Appellant

v/s.

M/s. Mercantile and Industrial
Development Co.Pvt.Ltd. ... Respondent

Mr.R.Asokan i/by Mr.K.B.Rao for appellant.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 17th September, 2004

P.C.

The learned counsel for the revenue submits that in view of the decision of the Supreme Court in the case of Commissioner of Income Tax v. Indo Nippon Chemicals Co.Ltd., 261 ITR 275, he has instructions to withdraw the appeal.

2. We accept his request and allow the appeal to be withdrawn.

3. Refund of court fee as per law.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)